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Ontario. Legislative Assembly.  
Select Committee to Examine  
into and to Study the Adminis-  
trative and Executive Problems  
of the Government of Ontario  
Interim report

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*Legislative Assembly  
of the  
Province of Ontario*

**Interim Report of the  
Select Committee  
of the House**

appointed on the 4th day of April, 1960  
**to Examine into and to  
Study The Administrative  
And Executive Problems  
of the  
Government of Ontario**

November 17th, 1960



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ONTARIO

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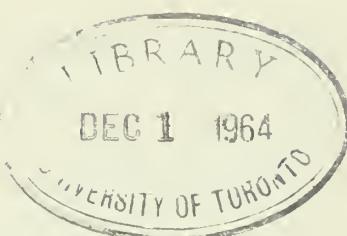
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Honourable Members:

TERMS OF REFERENCE AND COMPOSITION OF COMMITTEE

I. On April 4th 1960 on motion of the Honourable Leslie M. Frost, Prime Minister of Ontario, the following resolution was adopted by the Legislature:—

“That a Select Committee of the House be appointed to examine into and to study the administrative and executive problems of the Government of Ontario in all Divisions of the Provincial Service and to examine into the relationship of Boards and Commissions to the Government and the Legislature, and to examine into and study the Report of the Committee on the Organization of Government in Ontario, dated the 25th day of September, 1959, and to consider the findings and recommendations contained in the said Report *and to report upon and recommend upon the implementation and adoption of the recommendations and proposals contained in the said Report or any of them, or respecting any of the administrative and executive problems of the Government of Ontario in all Divisions of the Provincial Service, and the relationship of Boards and Commissions to the Government and the Legislature aforesaid;*”

And that the Select Committee shall consist of eleven members and shall have authority to sit during the interval between Sessions and have full power and authority to appoint or employ counsel and secretary and such other personnel as may be deemed advisable and to call for persons, papers and things and to examine witnesses under oath, and the Assembly doth command and compel attendances before the said Select Committee of such persons and the production of such papers and things as the Committee may deem necessary for any of its proceedings and deliberations, for which purpose the Honourable the Speaker may issue his warrant or warrants.”

(Italics added)

The members of the said Select Committee (hereinafter referred to as the “Committee”) are:—

Hon. A. K. Roberts, Q.C., M.P.P.	Chairman
Hon. James N. Allan, M.P.P.	
Mr. William Davis, M.P.P.	
Mr. Fernand Guindon, M.P.P.	
Mr. Irwin Haskett, M.P.P.	
Mr. Allan F. Lawrence, M.P.P.	
Mr. W. Beverley Lewis, M.P.P.	
Mr. Donald C. MacDonald, M.P.P.	
Mr. Farquhar Oliver, M.P.P.	—
Hon. John P. Robarts, Q.C., M.P.P.	
Mr. Elmer W. Sopha, M.P.P.	—
Mr. Maxwell Bruce, Q.C.	Counsel
Miss C. M. Wysocki	Secretary

## INTRODUCTION

2. The Committee as soon as possible after its appointment entered upon its duties in the firm belief that it had been assigned a very important task which could only be well accomplished by hard work and keen analysis of pertinent material. It is apparent that the Committee is pioneering in this realm of research at a provincial level. Ontario has burst the bonds of confined effort. While continuing as Canada's leading Province in industrial, agricultural and natural resources production, it now has a population of more than 6,000,000 inhabitants which is increasing at a rate greater than the national average both naturally and by immigration. In short, Ontario stands revealed as a Province with a great future. This calls for government of the best available sort and for well informed modern methods and practices in all phases of government activity, including efficiency of staffs and operations. We believe that so equipped and functioning the government of this Province can carry out its tasks with a speed and efficiency equal to that of any of the larger and more important businesses operating in the Province. These objectives have been kept in mind throughout the deliberations of the Committee.

## SITTINGS

3. Since its appointment the Committee has heard evidence for 21 days during the months of May, June, July, September, October and November 1960 at the Main Parliament Buildings, Toronto. Virtually all the Ministers of Government and Senior Members of the Public Service, including Officials of Boards and Commissions have appeared before it. The Committee has also invited a number of prominent persons outside the Public Service to appear, as listed in Appendix "A". Two days of its sittings have been devoted to the consideration of briefs submitted by individuals and bodies in response to published invitations. A list of the briefs appears as Appendix "B". The Committee considers it is now appropriate to make an interim report.

## REPORT OF THE COMMITTEE ON THE ORGANIZATION OF GOVERNMENT IN ONTARIO

4. The Committee has analysed the recommendations contained in the Report of the Committee on the Organization of Government in Ontario dated September 25th 1959 (hereinafter referred to as the "1959 Report"). It found these recommendations could conveniently be divided into 48 separate items as tabulated in Appendix "C". It has devoted much study to these recommendations and has endeavoured to ascertain, as appropriate, the views thereon of each Department or Agency of Government.

## RESPONSIBLE GOVERNMENT

5. The Committee wholeheartedly declares its adherence to the well established principles of responsible government including ministerial and executive responsibility and regards these as being the key to the whole subject under consideration. Wherever there has been a tendency to stray from these principles and responsibilities beyond the normal requirements for carrying on government business, the Committee advocates a return to the clearly defined courses of action which may be emphasized by the slogan "return to the Legislature". The Committee recognizes that in certain circumstances there is a need, which may occur more

frequently as Government activities expand, for Government Boards and Commissions, but is convinced that their operations should be within the knowledge and approval of the Government which in turn is responsible to the Legislature. It should be particularly emphasized that no agency set up by a responsible government should operate beyond the control of such government, no matter how large or important that agency might be. We wish to state emphatically that the essentials of policy should be included wherever possible in the statute, and the delegation of powers should be kept to a minimum.

#### RECOMMENDATIONS ALREADY IMPLEMENTED

6. Six of the 48 recommendations in the 1959 Report seem to the Committee to have been wholly or substantially implemented already by the Government. These six are listed in Appendix "D".

#### MUNICIPAL LEGISLATION

7. Of the six recommendations just referred to, those concerning the Department of Municipal Affairs and the Community Planning Branch deserve particular comment. Evidence heard by the Committee indicated that the Municipal Act and related statutes, including the Planning Act, stand in need of revision. The work of the Committee is far from complete but we have considered certain aspects. For example, some practices, which appear to be undesirable, were brought to our attention. These stem from the requirement for approval by the responsible Minister of plans of subdivision. As a condition of such approval the Minister may require that a so-called subdivision agreement be entered into between the subdivider and the municipality, and it is in this field that difficulties have arisen. We recommend that the appropriate provisions of the Planning Act, Statutes of Ontario, 1955, be expanded to define in as precise terms as possible the permissible scope of such agreements.

#### ONTARIO MUNICIPAL BOARD

8. The 1959 Report made some recommendations in the Municipal field with which we do not agree. It recommended that official plans, subdivision plans, zoning by-laws and municipal debenture issues should be approved by the Minister rather than, as at present, by the Ontario Municipal Board. The Minister would be empowered to refer these matters to that Board solely for the purpose of having the Board make recommendations. Since in the cases of plans and zoning important property rights of the individual are directly affected, the function is clearly quasi judicial. Decisions should not be made administratively without the individual being given every opportunity to develop his case at a public hearing. Subject to what is said later about appeals, we think the present procedures in these matters should continue.

#### BOARDS AND COMMISSIONS GENERALLY

9. A major subject of concern to the Committee is the large body of extra-governmental activity carried on by Boards and Commissions. This leads us to another recommendation. This is that the duties of all new agencies be precisely defined. We believe there is apt to be vagueness of definition, particularly when a new agency is created in an area in which there is little previous experience. Although the Committee intends to study more thoroughly the workings of a number of the important agencies, it appears to us that the arguments for a

more precise spelling out of the duties of all agencies is abundantly clear. There should in our opinion be a periodic review of the duties of each existing agency in order to tighten up and codify its powers. As experience increases and as the discretions within which an agency functions become more firmly established, the principles it follows should assume a clearer perspective.

#### "INDEPENDENCE" OF AGENCIES

10. We should like to make some general observations on the so-called "independence" of agencies. When a particularly prickly problem presents itself to the administration one can understand the attractiveness of creating an agency to deal with it and at the same time of clothing that agency with powers and authority which may be described as being independent of the Government. This also enables the administration to resist political and other pressures brought upon it for certain courses of action by saying the matter is in other hands. Carried to its farthest extreme this theory is completely destructive of responsible government. Ultimate authority in all matters involving so-called independent agencies reposes in the Government of the Province. The Government is or should be fully responsible for the policy or principles to be applied. The agency is concerned, after looking at the facts, with applying the policy to a particular situation. Although the Government can never escape responsibility for fixing the policy or standards, it can and should avoid involvement with particular factual situations coming before the agency. The principle of independence in this context is properly confined to the area of detail and of application of policy to fact, and should not extend to policy making itself.

#### ANNUAL REPORTS OF AGENCIES

11. One obvious device for ensuring that the Legislature is in touch with the affairs of all agencies and for emphasizing at the same time ministerial responsibility is to require that annual or periodical reports be brought in by the responsible Minister who then would become answerable should any questions arise. The Committee has as yet had insufficient opportunity to complete a thorough statistical analysis of this subject. It would seem, however, that there are three principal points involved. The first is that the practice of the tabling of such reports by the Provincial Secretary (where he is not the responsible Minister) should be discarded in favour of the presentation of such reports by the responsible Minister. This may require statutory amendments where the other procedure is prescribed by law. The second point is that there should be an opportunity for debate upon the report. A concurrent Select Committee studying parliamentary rules and procedures will we understand have some recommendations in this connection. The third point is that there should be a degree of uniformity introduced in respect to the fiscal period to which the reports relate. It seems to this Committee that so far as possible (and we recognize that it may not be possible in every instance) reports should be on a calendar year basis, so that they can be tabled whilst the House is sitting. Reports of Advisory Committees and Departmental Agencies (as later defined herein) should be included with those of the related Department, which we think is already the practice in many cases.

#### DEPARTMENTAL AGENCIES

12. The 1959 Report designated "Advisory Committees", being those agencies without powers, as the first of four groups into which it classified agencies. The second group referred to therein was "Departmental Agencies". These are distinguished as being really a part of the Departmental organization, but accorded

a measure of separate status. We wholly approve the recommendation in the 1959 Report that Departmental Agencies should follow the Departmental pattern as far as possible. We believe that the classification of each such agency (and there are 18 listed\*) should be verified.

#### MINISTERIAL AGENCIES

13. The 1959 Report's third category of agency is the class "Ministerial Agency", of which 32 are listed\*\*. This class is characterized as an agency with semi-independent status outside the normal Departmental structure. We agree that a policy disagreement between such an agency and the Minister should not exist and that the policy of the agency should be brought into line with the Minister's views, and that he must accept full responsibility for the agency's performance. At this point

\* Those listed are:

Department of Agriculture:

1. Ontario Telephone Authority
2. Ontario Telephone Development Corporation
3. Ontario Junior Farmer Establishment Loan Corporation
4. Co-operative Loans Board of Ontario
5. Ontario Agricultural College
6. Ontario Veterinary College
7. Macdonald Institute

Department of the Attorney-General

8. Accountant of the Supreme Court of Ontario
9. Commissioner of Police for Ontario
10. Office of the Fire Marshal
11. Official Guardian
12. Public Trustee

Department of Education

13. Defence Training Board

Department of Labour

14. Industry and Labour Board

Department of Lands and Forests

15. Lake of the Woods Control Board

Department of the Provincial Treasurer

16. Ontario Municipal Improvement Corporation
17. Province of Ontario Savings Offices
18. Housing Corporation Limited

\*\* Those listed are:—

Minister of Agriculture

1. Ontario Food Terminal Board
2. Ontario Stock Yards Board
3. Milk Industry Board of Ontario
4. Farm Products Marketing Board and local marketing boards

Minister of Education

5. Teachers' Superannuation Commission

Minister of Health

6. Alcoholism Research Foundation
7. Ontario Cancer Institute (Princess Margaret Hospital)
8. Ontario Cancer Treatment and Research Foundation
9. Ontario Hospital Services Commission
10. Board of Directors of Chiropractors
11. Board of Directors of Drugless Therapy
12. Board of Directors of Masseurs
13. Board of Directors of Osteopathy
14. Board of Directors of Physiotherapy
15. Board of Examiners of Embalmers & Funeral Directors
16. Board of Examiners of Optometry
17. Board of Regents of Chiropody
18. Governing Board of Dental Technicians

Minister of Labour

19. Board of Examiners of Operating Engineers

Minister of Planning and Development

20. Ontario Research Foundation
21. Ontario-St. Lawrence Development Commission

Minister of Public Welfare

22. Soldiers' Aid Commission

Minister of Public Works

23. Ontario Northland Transportation Commission
24. Ontario Water Resources Commission

Minister of Reform Institutions

25. Board of Parole

Minister of Travel and Publicity

26. Board of Censors

Provincial Treasurer

27. Ontario Racing Commission
28. Liquor Control Board of Ontario
29. Civil Service Commission
30. Public Service Superannuation Board

31. Ontario Parks Integration Board

Other

32. Niagara Parks Commission

we should like to state a principle which those unfamiliar with the British parliamentary system are apt to overlook. This is the theory of Cabinet solidarity. There can be no continued disagreement in the Cabinet. If a crucial issue upon which the Minister cannot agree with his colleagues arises, there is no question of a majority prevailing over a minority. The decision is a collective one. Such a Minister's only course is to resign.

#### CODES OF PROCEDURE: QUASI-JUDICIAL AGENCIES

14. The 1959 Report recommended that a code of procedure as uniform as possible be established by agencies in all appropriate cases. This affects most directly the nine Quasi-judicial Agencies which form the fourth and last category of agencies in the 1959 Report\*. An example of such a code exists in the United States of America where the Administrative Procedure Act, and rules thereunder, of monumental proportions, was enacted in 1946. It has been suggested before us that in order to cover the special requirements of such a variety of agencies operating in so many different fields the result might be an ineffectual lowest common denominator.

#### THE UNITED KINGDOM APPROACH

15. The approach to this problem taken in the United Kingdom is not to have a uniform code, but to require agencies to have procedural rules which, by virtue of the Tribunals and Inquiries Act, 1958, are subject to scrutiny by the Council on Tribunals. This Council has the power "to keep under review the constitution and working of the tribunals" assigned to it. There are certain fundamental matters concerning which rules must exist, such as giving of notice, the hearing of all interested parties and the recording of evidence. We favour the United Kingdom solution whereby the agencies are left to work out their own rules, and we stress that as long as rules covering the fundamental points exist, there is no virtue in uniformity for its own sake. Each agency has its own problems and special interests and recognition must be given to this fact. So long as a form of review is established, we think the public interest is served. Instead of a Council on Tribunals the appointment of an official of the Attorney-General's Office, with senior status, is recommended. About two years ago the office of Co-ordinator of Justice Administration was established by the Attorney-General. The purpose was to have available up to the minute information concerning the progress of litigation in all Provincial Courts and to provide extra judicial and other assistance where needed, to the end that delays in the administration of justice be minimized. There is a similarity in the concept of the two roles, which might be vested in the same officer. He would, in connection with agencies, and particularly those classed as quasi-judicial, be called upon to keep under review their constitution and working, with particular emphasis upon codes of procedure.

\*These are:

- Minister of Municipal Affairs
- 1. Ontario Municipal Board ✓
- Minister of Transport
- 2. Ontario Highway Transport Board ✓
- Attorney-General
- 3. Ontario Securities Commission ✓
- Provincial Secretary
- 4. Liquor Licence Board ✓
- Minister of Energy Resources
- 5. Ontario Fuel Board ✓
- Minister of Mines
- 6. Mining Commissioner ✓
- 7. Sulphur Fumes Arbitrator ✓
- Minister of Labour
- 8. Ontario Labour Relations Board ✓
- 9. Workmen's Compensation Board ✓

## WRITTEN REASONS FOR DECISIONS

16. The 1959 Report recommended that agencies give written reasons for their decisions. We believe that where the subject matter is of more than routine importance, in all cases when requested so to do, agencies should give such reasons. Agencies exercising quasi-judicial functions should in our view be meticulous in this regard. It is noted that in the case of the Ontario Energy Board a provision was spelled out in Statutes of Ontario, 1960, c. 75 s. 14 (6) which reads:—

“The Board shall prepare written reasons for its decisions which shall be kept by the secretary and made available to any person upon the payment of the prescribed fee.”

We consider that a similar provision should appear in the statutes constituting such agencies.

## PRIVATIVE CLAUSES

17. The 1959 Report listed six statutes in which privative clauses exist.\* It recommended that these clauses be rescinded on the basis that they are useless in preventing review by the Courts and in order to “tidy up” the Acts. We do not doubt that the Courts have reduced the effectiveness of these clauses consistently and with reasonable success. However, we are by no means satisfied that there is anything inherently undesirable in seeking to make a particular quasi-judicial agency supreme in a special field assigned to it and in ousting judicial review. Responsibility for the proper functioning of such an agency and for the correcting of its wrong decisions would then reside in the Legislature rather than in the Court. We therefore are not inclined to accept without further study the premise that judicial review is invariably desirable. We think that each of the six cases in which the 1959 Report recommended the rescinding of privative clauses should be further scrutinized, having also in mind what is said later concerning forfeiture of licences. Our initial view is that the privative clauses in the Labour Relations Act and in the Workmen’s Compensation Act should be retained.

## FORFEITURE OF LICENCES

18. The 1959 Report, properly we think, considered forfeiture of licences an important facet of administrative power. Since the livelihood of a large section of the population depends upon the holding of a licence, we agree that the conditions of forfeiture should be publicly known and published in all cases where a licensee is subject to forfeiture. We further agree that all decisions affecting forfeiture or cancellation of a licence should be appealable to the Courts. Specifically, we concur in the suggestion that these principles be carried out in the Liquor Licence Act.

## RIGHTS OF APPEAL ON FACT

19. The 1959 Report recommended appeals as to fact be available from all agencies except the Workmen’s Compensation Board of Ontario and the Ontario Labour Relations Board. We agree that these two agencies should be exceptions and suggest that there may be other exceptions, although none has so far specifically

\*These are:—

The Damage by Fumes Arbitration Act, R.S.O. 1950, c. 87, s. 4

The Labour Relations Act, R.S.O. 1950, c. 194, s. 69

The Liquor Control Act, R.S.O. 1950, c. 210, s. 27

The Liquor Licence Act, R.S.O. 1950, c. 211, s. 20

The Ontario Municipal Board Act., R.S.O. 1950, c. 262, s. 98

The Workmen’s Compensation Act, R.S.O. 1950, c. 430, s. 70

A typical privative clause is as follows:

Proceedings under this Act are not removable into any court by certiorari or otherwise and no injunction, mandamus or prohibition shall be granted or issued out of any court in respect of anything required or permitted to be done by any officer appointed under this Act.

been urged upon us, except in relation to the first issuance of a licence by licencing bodies such as the Liquor Licence Board of Ontario. In order further to facilitate an existing right of appeal, we think procedural difficulties of a technical sort should be eliminated. For example, we have been told that where a right of appeal is given by statute from an "Order" of an agency appeals could be obviated by the issuance of a "Certificate" rather than an Order. This would appear to confound the legislative intent. In such cases the statute should be amended so that the Board could only act by an "Order" where a right of appeal is founded upon the issuance of such a document.

#### APPEALS GENERALLY

20. We have been conscious throughout our sittings of the importance to the subject of a right of appeal from administrative decisions. The availability of appeals as to matters of law is more widespread than as to matters of fact. Many tribunals are indeed final arbiters of fact within their authority. There are, however, some areas that have been indicated to us, apart from the six instances of privative clauses, where no fundamental rights of appeal as to law or fact appear to exist at all. We have endeavoured to elicit information on this subject but of necessity our researches so far have been somewhat fragmentary. It must be stated that consideration of the subject of appeals is inclined to be frustrating when so few representations are made by those who appear to be the most seriously affected, that is, members of the general public. Even the legal profession tends to make comments only of a most general nature. We have been looking throughout for specific instances, because we feel that the question can be satisfactorily dealt with only in relation to concrete situations. We have had a handful of situations drawn to our attention, for example, the licencing of municipal auditors by the Department of Municipal Affairs and the issuance of licences under the Theatres and Cinematographs Act R.S.O. 1950 c. 389, where there are no appeal rights. Other cases doubtless exist, particularly in relation to a licencing power. There should be a thorough examination of the whole subject, with particular emphasis upon licencing.

#### REGULATIONS — REVIEW AND APPROVAL

21. On this subject the 1959 Report had two recommendations. The first was that all regulations should be reviewed by law officers of the Crown and approved by the Lieutenant-Governor-in-Council. We believe the bulk of regulations are in fact so reviewed and so approved. We agree that this should be a uniform practice. We are conscious of some difficulties that have arisen respecting the scope of the definition of "regulations" under the Regulations Act. We think that this subject should be further studied and that the Regulations Act, which was an important forward step and indeed a landmark in this field when first enacted in 1944 should be thoroughly reviewed with the object of making it even more comprehensive and useful to the public.

#### REGULATIONS — PUBLIC DISCUSSION

22. The second recommendation was that all regulations be publicly discussed before enactment. There may be certain regulations that are not susceptible to public discussion before enactment. We have in mind those of a quasi criminal nature intended to prohibit certain undesirable activities, the purpose of which would be defeated if discussion in advance took place. However, in the large field of regulation there must be many that could with great profit be discussed with interested parties before enactment. Indeed we believe this is being done already by most administrators. We therefore approve of this recommendation with the

qualification that it may not be possible as a practice in every instance. Further, we are concerned about the format of discussion. It is obviously easiest for the administrators to have discussions with the trade association or interested group involved or with the large and powerful members of an industry. How does the public enter the discussion? We think it equally important that an attempt be made to feel the public pulse. We realize that this may present some difficult problems and that there is no magic in simply asking the public to participate unless the public is equipped to do so and comes forward in answer to the call. An example of what we mean may be taken from the highly commendable practice that has developed concerning municipal zoning and official plans whereby planning officials organize community meetings with owners of the lands affected.

#### REGULATIONS — SUPERVISION BY THE LEGISLATURE

23. With the continuous extension of governmental authority the use of delegated power to make regulations becomes ever more prevalent. The problem of adequate supervision by the Legislature itself therefore presents a challenge to the responsible authorities. It is obviously impossible for a Legislature which only meets during three or four months of the year to keep in day-to-day touch with regulations. They must therefore be passed when needed. We do recommend, however, that there be an annual review of regulations by a Standing Committee of the Legislature and the most appropriate one would seem to be the Legal Bills Committee. In order to make the job manageable, we further recommend that the Registrar of Regulations make an annual report to such Committee in which he would specifically deal with any regulations that appeared to require special consideration. Sittings of the Committee for the purpose of reviewing the report and the regulations for the preceding year should be widely advertised so that as large a representation as possible from amongst those interested would be encouraged to attend.

#### FINANCIAL CONTROL

24. The 1959 Report had a good deal to say about the Budget Committee, the Treasury Board and financial control generally. We are aware that other studies have been and are being made of the operations of the Treasury Board, and that plans are current for re-organization which will include the establishment of a Permanent Secretariat for the Treasury Board and other reforms. Until the changes in this area have been carried out and sufficient time elapses for assessment of the result, we see no purpose in dealing further with these points at the present time. We do recommend, however, as a useful reform that amounts authorized by Special Warrants and Treasury Board Orders should be included in a subsequent supply bill.

#### ADMINISTRATIVE EFFICIENCY

25. The 1959 Report recommended that the administrative arrangements of Government be reviewed from time to time. Dr. Hodgetts, who appeared before us, had the interesting suggestion of an Administrative Auditor. Such an official in his view would be analogous to the Provincial Auditor as being an officer of the Legislature and independent of any Government Department. This person would keep the administrative side of the Government under continuous review and report directly to the Legislature or to a Committee of the Legislature charged with examining government organization. We are aware that the creation of a Permanent Secretariat to the Treasury Board and a general re-organization of Treasury Board procedures will include the establishment of an Organization and

Methods Unit. It may well be that the testing in practice of this Unit will illustrate whether it will be sufficient to carry out what is contemplated or whether it would have to be augmented. If the latter, then at the proper juncture and at some stage of governmental development this suggestion of Dr. Hodgetts may well be further explored. We visualize the time when the administrative practices of all Departments and agencies will be under such constant observation that there will be reflected in the machinery of Government all that is best and most modern in business and administrative practices at any given period.

## AUTOMATION

26. The subject of office automation and the use of integrated data processing systems was considered briefly by the Committee. It appears that some Government Departments and agencies already employ certain devices of this nature, and it may be that an attempt should be made to co-ordinate the systems, so that the greatest possible benefit can be gained on a province-wide basis. For example, it appears that highway accident statistics are collected in several different Departments for several different purposes. One centralized data processing system might more economically and efficiently provide for the existing and many other requirements in this regard. This sort of study and research might fall to the Organization and Methods Section of the expanded Treasury Board Secretariat. In the same connection we had demonstrated before us a mechanical device known as a "stenomask" for court reporting. There appear to be many advantages in the use of this device particularly the short training period for its use and the high speed of reporting that is possible. It is apparent that there is already a serious shortage of court reporters, and we were impressed with the advantages that would accrue in the administration of justice if a device of this nature were widely adopted. Mr. Nathaniel Goldfinger, Assistant Director, Department of Research, A.F.L., C.I.O. appeared before us and discussed aspects of the advent of automation affecting the public. His opinion was that the economic feasibility of automation is intimately connected with the size of the market for the products of an automated industry. In his view, governments can minimize any resultant worker dislocation by extending public services, stimulating production, enlarging social security and co-ordinating economic research studies.

## ANTI-WASTE TRIBUNAL

27. The well known historian and author, Professor C. Northcote Parkinson, appeared before the Committee and advanced in humorous and lucid form the thesis for which he is already well known that the spread of bureaucracy is a phenomenon that must be resisted. He had three propositions. First, that bureaucrats multiply without reference to the work to be done—"work expands so as to fill the time available for its completion"; second, that paper threatens to swamp western society, and third, that public expenditure rises to meet a maximum which so far has eluded definition. Dr. Parkinson made one concrete suggestion to the Committee. This is the establishment of a three man tribunal empowered to invite, consider, adopt when practicable and reward all proposals for greater economy in public expenditure at the Provincial level. His view was that the decision of this tribunal should be final, save for an appeal to the Cabinet, and that all sums saved should go in the first instance to the reduction of debt, so that any money saved from one Department should not be gobbled up by another. The Committee makes no recommendation in this connection.

\*Parkinson's Law (1957) page 2.

-PROVINCIAL AUDITOR-

28 The Provincial Auditor advised the Committee that there was a total of eleven agencies of the Ontario Government which he did not audit.\* His federal counterpart audits most agencies of the Government of Canada, but with some notable exceptions such as the C.N.R., T.C.A. and the Bank of Canada. We are of the view that ultimately all agencies of the Ontario Government should be audited by the Provincial Auditor, although we are aware that the Hydro Electric Power Commission is an enterprise analogous to the exceptions above mentioned in the federal field and that an argument exists for its continued exclusion. With this possible exception there seems to be no logical reason why the Provincial Auditor should not cover the entire field, and we recommend that appropriate steps be taken to effect the gradual transfer of these audits into his hands. It might be desirable to spread this over several years, switching two or three each year. There is no procedural reason why the Provincial Auditor cannot very readily take over in all cases but three. The passage of an Order-in-Council is all that is needed. The Ontario Research Foundation, the Accountant of the Supreme Court and the Soldiers' Aid Commission appear to fall outside the usual pattern whereby the Lieutenant-Governor-in-Council designates the Auditor. We have no doubt that even in these three cases appropriate and speedy arrangements could be made to cause the appointment of the Provincial Auditor.

-THE PUBLIC SERVICE-

29. We regard as fundamental to the efficient functioning of the Provincial administration that the personnel in the Public Service should be of the highest quality, having a marked degree of esprit de corps and enjoying public confidence. We state as a general principle that these objectives can best be accomplished by treating the public Service as a single entity and this would include all forms of government agency. Personnel throughout should be remunerated upon a basis which ensures an appropriate degree of efficiency and performance. Government Departments should be no less businesslike and enterprising than any Board or Commission. We recommended that the necessary statutory amendments be made to give effect to this general principle, and that exceptions only be made upon the clearest and most compelling grounds. In this connection, we have examined particularly three large agencies, The Ontario Water Resources Commission, The Ontario Liquor Control Board and The Ontario Hospital Services Commission. We see no difficulties in the carrying out of this recommendation in respect to the two first mentioned, although some additional classifications involving new grades in the service may be necessary. This is purely mechanical. The third, the Hospital Services Commission, differs to the extent that large numbers of its personnel were taken over from a private organization, the Ontario Hospital Association. The rights of these persons as to pensions and other benefits were expressly preserved by s. 6 of the Hospitals Services Commissions Act, Statutes of Ontario, 1957, c. 46. We emphasize that the implementation of our recommendation should not disturb these rights in any way. The singling out of the

APPENDICE<sup>2</sup>

\*These are:-

1. Official Guardian
2. Public Trustee
3. Teachers' Superannuation Commission
4. Ontario Cancer Institute (Princess Margaret Hospital)
5. Ontario Water Resources Commission
6. Niagara Parks Commission
7. Workmen's Compensation Board
8. Hydro Electric Power Commission of Ontario
9. The Ontario Research Foundation
10. Accountant of the Supreme Court
11. Soldiers' Aid Commission

three agencies just mentioned is no indication that they are the only ones as to which changes would be necessary if the foregoing principle were adopted. There are many others. We would like to stress that it should be applied throughout the Provincial administration. There are agencies, such as the Hydro Electric Power Commission and the Workmen's Compensation Board, as to which a distinction is sometimes drawn because they are not directly financed by the Provincial treasury, and have their own pension plans. If, as a matter of Government policy, these are to remain as exceptions to the recommendation we have made, we feel that, nevertheless, standards of employment of their personnel should be as closely comparable as possible to those prevailing in the Provincial service generally. With respect to recruitment and conditions of work of public personnel, and with respect to the Civil Service Commission, a further study should be made by the Committee.

#### SOLDIERS' AID COMMISSION

30. The 1959 Report appears to suggest that the Soldiers' Aid Commission be wound up and its responsibilities transferred to the Department of Welfare. In discussing the matter with the Chairman of the Commission, much emphasis was laid by him upon the words "at the appropriate time" appearing in the 1959 Report, the suggestion being that this time had not yet arrived. In addition he stressed the extensive personal service element now existing which should not lightly be discarded. As this is a matter of policy and as matters having to do with veterans are conditioned by a degree of emotion, we feel it best to record our agreement with the 1959 Report and to suggest that the matter be kept under review by the responsible Minister.

#### WORKMEN'S COMPENSATION ACT

31. The 1959 Report made two recommendations with regard to the Workmen's Compensation Act. The first is that a review of injuries after the basic legitimacy of the claim is established, and separate from it, be provided in the Act. Our inquiries have indicated that this procedure is already in effect as the Board's normal practice, for any claim is subject at any future time to review: awards are not final and can always be re-opened. We see no object in statutory elaboration. The second is that certain words be deleted from s. 22 of the Workmen's Compensation Act as being anomalous in appearing to indicate that in the case of reference to a referee the Board is not bound unless it chooses to be. However anomalous this seems it was suggested to us that although the Board normally accepts the referee's findings as binding, it is administratively undesirable that it must invariably be bound by them. Accordingly, we would not press for implementation of this recommendation.

#### Liquor Control Board of Ontario

32. The 1959 Report recommended that responsibility for the Liquor Control Board of Ontario be transferred from the Department of the Provincial Secretary to the Department of the Provincial Treasurer. If the principle of ministerial responsibility is established, if the Government is answerable in the Legislature for the policies administered by this Board, and if those policies are clearly defined and exposed to public scrutiny, as they should be, it seems to us of no overwhelming importance which member of the Government is the responsible Minister. It also recommended, and we agree, that the Board's power of expropriation be deleted.

## DEPARTMENT OF ENERGY RESOURCES

33. Two recommendations appeared in the 1959 Report concerning the Department of Energy Resources. The first was that responsibility for inspection and standards in the electrical field be transferred from the Hydro Electric Power Commission to the Department of Energy. This would affect a staff of some 175 members with attendant problems of transfer of personnel, office space and the like, and would uproot a system which is firmly established at all levels. We do not concur in this recommendation. The second recommendation was that rate-making rules as applied by the Ontario Energy Board in the natural gas field should be defined as announced Government policy. We realize that there are some problems of definition involved. However, we strongly support the principle of clear unequivocal public expression of policy, and therefore approve this recommendation.

## HYDRO ELECTRIC POWER COMMISSION OF ONTARIO

34. Although the Hydro Commission, according to the 1959 Report, was historically a co-operative trust for certain municipalities, it is ultimately answerable to the Legislature, by an Act of which it exists. Financing of the Commission's vast undertakings is based upon direct Provincial loans or Provincial guarantees of bonds. One of the subject matters with which the Committee did not deal at any great length was the relationship of the Commission to the Legislature. We feel that further study is required and that considerable evidence would have to be adduced in order to enable us to make comprehensive recommendations in a future report. Meanwhile, however, the Committee wishes to go on record as stating that the Hydro Commission should be responsible to the Legislature.

## PARKS INTEGRATION BOARD

35. A chart of the Government of Ontario prepared for the convenience of the Committee shows the Parks Integration Board as an entity reporting to no particular Minister, but directly to the Prime Minister and Executive Council. This Board is with one exception composed of Ministers. The exception is the Chairman of the Ontario-St. Lawrence Development Commission. We believe the recommendation in the 1959 Report that the Parks Integration Board should be a committee of Cabinet along the lines of the Treasury Board requires further study. Although a far more thorough examination of the problem is needed before specific recommendations can be advanced, we are satisfied that there is need for strengthening and improved co-ordination of parks administration throughout the Province.

## NIAGARA PARKS COMMISSION

36. On the same chart the Niagara Parks Commission is shown under the Department of Labour reporting directly to the Minister. The 1959 Report pointed out some obvious anomalies in the constitution of the Commission, which is chaired by the Minister of Labour. The Chairman is such by virtue of his knowledge of and proximity to the lands under the administration of the Commission rather than as the head of a particular Department of Government. The 1959 Report stressed, and we agree, that Ministers ought not to be members of Boards or Commissions or if they are they should be ex officio non-voting members. At page 57 it stated:—

“If the principle of ministerial responsibility is accepted with respect to the broad policies of ministerial agencies, as well as over all other parts of the government machinery as we think it should be, then ministers should not

sit as members on boards and commissions, i.e., on ministerial agencies. The decisions taken by a board are collective decisions. Sitting as a member, the minister could be outvoted on a matter of policy by the other members of the board, despite the fact that it must be the minister who accepts ultimate responsibility for the policies of the boards assigned to him.

A situation such as this would contradict the whole theory and purpose of responsible government by the elected representatives of the people. It would mean that a minister might be called upon to defend particular policies in the Legislature with which he personally did not agree but which had been approved by a majority of the board on which he served as a member. The minister would thus be placed in a position of responsibility without authority, a position that might work for a time but which eventually might well prove to be untenable.

However, ministers should be free to attend meetings of boards and commissions responsible to them in order that they may be fully informed about the matters which come up for policy decisions. Whether they do this simply as the responsible ministers or as non-voting ex officio members of such bodies is unimportant."

#### ROYAL COMMISSIONS

37. No Department has general responsibility for the administration and financial accounting of Royal Commissions. This should be remedied, and we recommend that the necessary steps be taken to establish this responsibility in the Attorney-General's Department.

#### LEGISLATIVE REFERENCE SERVICE

38. Dr. Hodgetts advanced the suggestion of a legislative reference service for the use of members having in mind a modest equivalent of that serving the United States Congress in Washington. He submitted that great benefit would accrue if appropriate and expanded facilities were established whereby reference material could be produced to members. The Legislative Reference Service of Congress has been described as a source of competent and authoritative research, analysis and information, useful in debate, in committees and as a basis for legislation. By contrast, the Library of the Parliament of Canada has no Legislative Reference Service along the Congressional pattern. In functioning as a library, however, it provides excellent facilities in material and personnel and publishes a descriptive leaflet entitled "How the Library of Parliament can help Senators and Members". We recommend that consideration be given to an expansion of the research facilities of the Legislative Library in order that it may serve Members to a greater extent than it is enabled to at present. At the same time, means of making its potential value known more generally to Members ought to be explored.

#### LEGISLATIVE LIBRARY

39. There are two other matters connected with the Legislative Library upon which we would like to comment. First, it is now administered by the Department of Education. This is apparently because in the early 1920's a reference library for teachers was discontinued and amalgamated with the Legislative Library and the present Library in fact stems from two book collections, one originating in the Legislature itself and the other originating with the teachers. We see no purpose in continuing this administrative arrangement, since both collections of

books are now merged. Accordingly, we recommend that the Library become one of the Legislative Service Units under the Provincial Secretary's Department, and be removed from the Department of Education. This would ensure fulfillment of its routine administrative requirements and at the same time preserve the degree of separate status enjoyed by the Clerk and the Speaker of the House. Second, there is a press clipping service maintained by the Office of the Clerk of the Legislature. This clipping service has grown ad hoc from small beginnings about 40 years ago to the point where it is a most impressive collection of material relevant to Government operations. This service should properly form part of the Legislative Library. The need for co-ordination is apparent in the press clipping field. It appears that some Departments of Government, notably Highways, maintain their own press clipping service. It would seem that if an efficient central press clipping service exists (as it surely does) it ought to be able to serve the needs of all Departments and agencies. We think that steps should be taken to eliminate what almost certainly must be duplications.

#### STANDING COMMITTEES OF THE LEGISLATURE

40. The subject of rules of the Legislature has, as stated, been assigned to another Select Committee of the House. On Standing Committees generally the 1959 Report recommended that they be reduced in size, that they should review agencies in related areas of work and should have staff secretaries. We are not impressed with the need to reduce these Committees in size, and indeed from the standpoint of a member's right to interest himself in Committee work on as wide a basis as he chooses, we think it would be a retrograde step to reduce them in size. They should, however, review the work of agencies in related areas and they should have staff secretaries or, as we believe they are more properly called, clerks. These latter two recommendations were to a large extent carried out during the session of the Legislature earlier in 1960.

#### STANDING PUBLIC ACCOUNTS COMMITTEE

41. The Standing Public Accounts Committee might be regarded as a special type of Standing Committee and the 1959 Report also had recommendations on this point. It is obvious that until the earlier 1960 session very little use was made of such a Committee. In fact in Ontario such a Committee had only been called in the past when allegations of irregularities, advanced in the Legislature, were assigned to it for inquiry and report. We think that action is required to make such a Committee more effective. We think it should review the Provincial Auditor's Report with him and that he should function as a staff adviser to the Committee. We further are of opinion that instead of what is bound to be a somewhat superficial review of the whole of the Public Accounts each year the Committee might well choose certain Departments, possibly four or five annually, and study their accounts in depth. During the life of one Legislature all Departments could thus be covered, a different group at each session. Mr. Watson Sellar, one time Auditor General of Canada, who appeared before us, described the British and Canadian Federal practices. In Britain the Public Accounts Committee meets behind closed doors, evidence being released only when it makes its final report on a year's accounts, and the chairman is invariably a member of the Opposition. Federally in Canada the practice of naming a member of the Opposition as chairman was recently adopted. The Provincial Auditor has commended the British practice of closed sittings as being likely to produce more constructive results and less apt to inhibit frank discussion on the part of responsible civil servants.

## THE NATURE OF COMMITTEES OF THE LEGISLATURE

42. Because the character of a Committee of the Legislature, be it Select or Standing, is sometimes misunderstood it might be appropriate to close this interim report with a brief word on the subject. Such a Committee represents the House as a whole, of which it is indeed a microcosm. It is clothed with the authority of the Legislature itself. It is merely a convenient and manageable framework within which the House is enabled to carry out certain of its functions — usually those that require a more detailed and patient study than can be expected of a group as large as the Legislature. A Committee is thus able to do more effective work than could be accomplished in a comparable period of time by the Legislature and so facilitates the transaction of business by that body.

## RE-APPOINTMENT OF THIS COMMITTEE

43. As we hope clearly appears from this interim report, we wish to investigate more fully a number of important matters. For this purpose we respectfully request that the Committee be re-appointed with authority to sit during the interval between Sessions.

## SUMMARY OF INTERIM RECOMMENDATIONS

44. The following is a summary of the principal recommendations contained in the foregoing report:—

- ✓ (i) there should be a "return to the Legislature" of responsibility for all Provincial agencies  
(paragraph 5)
- (ii) the Municipal Act and related statutes, including the Planning Act, should be revised  
(paragraph 7)
- (iii) the powers of all Provincial agencies should be periodically reviewed and codified  
(paragraph 9)
- (iv) procedures concerning annual reports of Provincial agencies should be altered in several respects and opportunity afforded for debate therein in the Legislature  
(paragraph 11)
- ✓ (v) a senior official of the Attorney-General's Office should be charged with reviewing the procedure of Provincial agencies  
(paragraph 15)
- (vi) Provincial agencies should, when requested, give written reasons for decisions  
(paragraph 16)
- (vii) conditions of forfeiture of licences should be published, and all cancellation or forfeiture cases should be appealable to the Courts  
(paragraph 18)
- (viii) rights of appeal from Provincial agencies, especially those granting licences, should be thoroughly examined  
(paragraph 20)

- (ix) specific procedures for review, approval, public discussion and legislative supervision of Provincial regulations should be adopted  
(paragraphs 21, 22 and 23)
- (x) amounts authorized by Special Warrants and Treasury Board Orders should be included in a subsequent supply bill  
(paragraph 24)
- ✓(xi) automated data processing systems in the Provincial administration, should be examined with a view to co-ordination  
(paragraph 26)
- ✓(xii) the Provincial Auditor should audit the 11 Provincial agencies he does not now audit  
(paragraph 28)
- ✓(xiii) the Public Service of the Province including employees of all Provincial agencies should be treated as a unit  
(paragraph 29)
- ✓(xiv) the Hydro Commission should be responsible to the Legislature  
(paragraph 34)
- (xv) the Legislative Library should become a Legislative Service Unit under the Provincial Secretary's Department  
(paragraph 39)
- (xvi) the Press Clipping Service should be part of the Legislative Library and serve all Departments and agencies and duplication in this area eliminated  
(paragraph 39)
- ✓(xvii) the Standing Public Accounts Committee should be made more effective and each year review thoroughly several Departments  
(paragraph 41)

(Signed)      A. KELSO ROBERTS      *Chairman*  
                  JAMES N. ALLAN  
                  WILLIAM DAVIS  
                  FERNAND GUINDON  
                  IRWIN HASKETT  
                  ALLAN F. LAWRENCE  
                  W. BEVERLEY LEWIS  
                  DONALD C. MACDONALD  
                  FARQUHAR OLIVER  
                  JOHN P. ROBARTS  
                  ELMER W. SOPHA

November 17th, 1960

#### **APPENDIX "A"**

##### **Witnesses heard other than those in the Public Service of the Province**

Mr. Nathaniel Goldfinger	Assistant Director of Research, American Federation of Labour and Congress of Industrial Organizations, Washington, U.S.A.
Professor J. E. Hodgetts, M.A., Ph.D.	Department of Political Science & Economics, Queen's University, Kingston, Ontario
Professor John S. Morgan	Professor of Social Work, University of Toronto, Toronto, Ontario
Dr. C. Northcote Parkinson	one time Raffles Professor of History, University of Malaya
Professor Bernard Schwartz	School of Law, New York University, New York, U.S.A.
Mr. Watson Sellar, C.M.G., C.A.	one time Auditor General of Canada
Dr. H. W. R. Wade	Member of the Council on Tribunals and Reader in English Law, Cambridge University, England
Professor John Willis	Faculty of Law, University of Toronto, Toronto, Ontario

#### **APPENDIX "B"**

##### **Briefs submitted in response to published invitations**

- The Association of Consulting Engineers of Canada
- The Board of Trade of Metropolitan Toronto
- The Canadian Bar Association (Ontario Section)
- The Canadian Plumbing and Mechanical Contractors Association (Ontario Branch)
- The Civil Service Association of Ontario (Inc.)
- The Ontario Chamber of Commerce
- The Urban Development Institute (Ontario Division)
- Mr. Lloyd White, Toronto, Ontario

#### **APPENDIX "C"**

##### **Summary of recommendations in the 1959 Report (page references are to the 1959 Report)**

1. That delegation of powers should be kept to a minimum. (page 17)
2. That the Liquor Control Board's power to expropriate land should be deleted. (page 17)
3. That details of policy should be included wherever possible in governing statute, or in amendments thereto. (pages 17 and 23)
4. That Regulations should be subject to public discussion before promulgation. (page 18)

5. That Regulations should invariably be reviewed by the legislative counsel and law officers of the Crown, and be approved by the Lieutenant-Governor in Council upon submission through the responsible Minister. (pages 18 and 67)
6. That annual reports of Advisory Committees and Departmental Agencies should be included with those of their associated Departments. (page 21)
7. That all boards and commissions (except Advisory Committees and Departmental Agencies) should make annual reports for tabling in the Legislature upon transmittal by the responsible Minister. (pages 21 and 67)
8. That Standing Committees of the Legislature should
  - (a) be reduced in size;
  - (b) review the work of boards and commissions engaged in related areas of work; and
  - (c) have staff secretaries to deal with agendas, minutes and reports. (page 22)
9. That privative clauses which purport to deny appeals in matters of jurisdiction or law should not appear in legislation establishing boards and commissions. Clauses in the following Acts should be rescinded: Damage by Fumes Arbitration, Labour Relations, Liquor Control, Liquor Licence, Ontario Municipal Board, Workmen's Compensation. (page 24)
10. That except in special cases (e.g. Workmen's Compensation Board and Labour Relations Board) appeals from subordinate authorities as to findings of fact should be available:
  - (a) to the Courts;
  - (b) to a Minister; or
  - (c) to the Lieutenant-Governor in Council. (page 26)
11. That in cases of cancellation of licences or franchises:
  - (a) conditions of forfeiture should invariably be established and published, and
  - (b) all decisions should be appealable to the Courts and that the Liquor Licence Act should be amended to permit appeals to the Courts in licence cancellation cases. (pages 27 and 68)
12. That subordinate agencies should in all appropriate cases establish codes of practice and procedure as uniform as possible, subject to review by law officers of the Crown and approval by the Lieutenant-Governor in Council. (pages 28, 67 and 68)
13. That subordinate agencies should invariably give reasoned decisions adequately setting out the basis thereof (e.g. The Liquor Licence Board should give reasons in cancellation, failure to renew, suspension and refusal of licence cases). (pages 29 and 69)
14. That the amounts authorized by Special Warrants and Treasury Board Orders should be included in the next ensuing budget. For this purpose the Financial Administration Act, 1954, should be amended in the same manner as the Financial Administration Act of Canada by 1958 c. 31 s. 2. (page 32)
15. That a Standing Public Accounts Committee, with a small membership, should be constituted. (page 33)
16. That senior administrative officials should be given the widest possible scope in carrying out their work. (page 34)

17. That the Budget Committee should
  - (a) be relieved of its present duties (which should be assigned to a full time staff attached to the Treasury Board); and
  - (b) act hereafter in a purely advisory capacity to the Treasury Board and Provincial Treasurer. (page 37)
18. That there should be fewer Departments. (page 39)
19. That the temptation to create new Departments should be resisted. (page 39)
20. That the Department of Municipal Affairs should be responsible for all important questions in the municipal field and should be re-organized and strengthened. (pages 42 and 47)
21. That the Community Planning Branch of the Department of Planning & Development and the planning work of the Municipal Board should be transferred to the Department of Municipal Affairs. (page 43)
22. That Official Plans and Subdivision Plans should be finally approved by the Minister, with a power of referral to the Municipal Board for recommendations only. (page 43)
23. That approval of municipal financing should be transferred from the Municipal Board to the Department of Municipal Affairs, with right of referral to the Municipal Board for recommendations only, subject to the Minister's final decision. (page 44)
24. That zoning by-laws should be approved by the Department of Municipal Affairs subject to referral to Municipal Board for recommendations only. (page 44)
25. That the Legislature should define the duties and responsibilities of each new agency more precisely. (page 49)
26. That all advisory agencies should be entitled "Advisory Committee" as a standard designation and that all appointments and changes in membership should be announced in the Ontario Gazette. (page 52)
27. That the Provincial Treasurer should be responsible for:
  - (a) Civil Service Board of Review;
  - (b) Joint Advisory Council (re Civil Service);
  - (c) Civil Service Commission; and
  - (d) Public Service Superannuation Board. (pages 52 and 56)
28. That financial requirements and record of expenditures of Advisory Committees should appear in associated Departmental statements. (page 53)
29. That Departmental Agencies should follow the Departmental pattern in that:
  - (a) personnel would be subject to the Public Service Act;
  - (b) channels of responsibility would flow from them to Deputy Minister thence to Minister;
  - (c) financial requirements would be included in Departmental budgets, and
  - (d) accounting, financial supervision and audit provisions would correspond to those in the Department concerned. (page 54)
30. That responsibility for the Liquor Control Board should be transferred to the Provincial Treasurer. (page 56)

31. That a policy disagreement between a Ministerial Agency and a Minister should not exist. The policy of such an Agency should be made to conform. The responsible Minister should accept responsibility for such an Agency's performance. (page 56)
32. That the Minister concerned should report (and accept responsibility for such report) upon Ministerial Agencies under his general direction, but that his responsibility would not extend to day-to-day operations (e.g. Parks agencies should follow this procedure). (pages 56 and 63)
33. That Ministers should not be members of boards or commissions, although, if desired, they could attend as non-voting ex-officio members. The Minister of Energy Resources should not continue as a voting member of the Hydro Commission. (pages 57 and 81)
34. That the Civil Service Commission should move towards increasing independence similar to its federal counterpart. (page 58)
35. That the Farm Products Marketing Board's responsibilities should be limited to screening new proposals and supervising voting. (page 60)
36. That Orders in Council approving farm marketing plans should incorporate powers and responsibilities of local boards and marketing agencies; the Department of Agriculture should be responsible for supervision. (page 61)
37. That the Parks Integration Board should be a committee of the Executive Council, the chairmen of parks commissions should be replaced thereon by Ministers. (page 63)
38. That the Board of Parole should be reconstituted with fewer and only full-time members, reporting to designated Minister. (page 64)
39. That the Soldiers' Aid Commission should be wound up and its functions transferred to the Department of Welfare. (page 65)
40. That the "ground rules" of rate making process as adopted by Fuel Board should be defined as announced government policy. (page 74)
41. That supervisory, inspection and licencing functions of the Fuel Board should be transferred to the Department of Energy Resources. (page 75)
42. That consideration should be given to reconstituting the membership of Fuel Board. (page 75)
43. That the words "unless the Board otherwise directs" should be deleted from s. 22 (2) of the Workmen's Compensation Act. (page 76)
44. That an appeal or review of the extent and nature of workmen's injury and consequent impairment should be provided under The Workmen's Compensation Act. (page 76)
45. That there should be established an advisory committee on investments of the funds of the Workmen's Compensation Board. (page 77)
46. That the Workmen's Compensation Board should file its report with a designated Minister who would review its operations periodically and accept responsibility for its policies. (page 77)
47. That the responsibility for inspection and standards in electrical matters should be transferred from the Hydro Commission to the Department of Energy Resources. (page 82)
48. That the organization of Government should be reviewed from time to time once the basic principles of organization have been agreed upon. (page 84)

## APPENDIX "D"

### **Recommendations in the 1959 Report already implemented**

1. That the Department of Municipal Affairs should be responsible for all important questions in the municipal field and should be re-organized and strengthened. (pages 42 and 47)
2. That the Community Planning Branch of the Department of Planning & Development and the planning work of the Municipal Board should be transferred to the Department of Municipal Affairs. (page 43)
3. That the Provincial Treasurer should be responsible for:
  - (a) Civil Service Board of Review;
  - (b) Joint Advisory Council (re Civil Service);
  - (c) Civil Service Commission; and
  - (d) Public Service Superannuation Board. (pages 52 and 56)
4. That the Board of Parole should be reconstituted with fewer and only full-time members, reporting to designated Minister. (page 64)
5. That supervisory, inspection and licencing functions of the Fuel Board should be transferred to the Department of Energy Resources. (page 75)
6. That there should be established an advisory committee on investments of the funds of the Workmen's Compensation Board. (page 77)





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Ontario. Legislative Assembly.  
Select Committee to Examine  
into and to Study the Adminis-  
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of the Government of Ontario  
Interim report

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